

EXHIBIT A

Victoria Petrone

From: Victoria Petrone
Sent: Thursday, May 17, 2007 10:54 AM
To: jshields@hrblackburn.com; hblackburn@hrblackburn.com; kamadio@venzie.com;
p.cottrell@tighecottrell.com; 'Patrick McGrory'
Cc: Donald Logan
Subject: Chris McCone Deposition

Gentlemen: we are finalizing the arrangements for the deposition of Chris McCone, which has proven to be quite an undertaking. The deposition is estimated to cost around \$15,000.00. I recently discussed with John Shields the fact that the defendants also want to question Chris and suggested that RLI take the first scheduled day and the defendants could take the second day. Since this deposition will constitute Chris's trial testimony we also have to decide how we are going to organize the questioning in terms of background questions, cross examination, etc. I have not received a response yet, but on the basis of splitting the time, I suggest that RLI pay for half of the costs and the defendants cumulatively pay the other half.

Please let me have your thoughts on this. I will not finalize the deposition until we have reached an agreement regarding payment. Deposits are going to be required shortly so please get back to me as soon as possible.

Victoria K. Petrone, Esquire
Logan & Associates, LLC
One Customs House, Suite 100
704 N. King Street, P.O. Box 89
Wilmington, DE 19899
p: 302.655.8000
f: 302.655.8005

11/7/2007

EXHIBIT B

Victoria Petrone

From: Kevin Amadio [kamadio@venzie.com]
Sent: Thursday, May 17, 2007 12:01 PM
To: Victoria Petrone; jshields@hrblackburn.com; hblackburn@hrblackburn.com; p.cottrell@tighecottrell.com; 'Patrick McGrory'
Cc: Donald Logan
Subject: RE: Chris McCone Deposition

I agree with Vicky's suggestions. The only alternative I see would be, if RLI decides that it does not need Mr. McCone's deposition for discovery purposes, that we agree to take his trial testimony at a later date, after the deposition cut-off and the mediation, but before trial. By deferring Mr. McCone's testimony to that later time, we can all save the expense if the mediation is successful, and in any event be better prepared for a trial-level examination.

K. Gerard Amadio, Esquire
 Venzie, Phillips & Warshawer
 2032 Chancellor Street
 Philadelphia, PA 19103
 215.567.3322
 215.864.9292 (fax)
 267.243.1904 (mobile)

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From: Victoria Petrone [mailto:VPetrone@loganllc.com]
Sent: Thursday, May 17, 2007 10:54 AM
To: jshields@hrblackburn.com; hblackburn@hrblackburn.com; kamadio@venzie.com; p.cottrell@tighecottrell.com; Patrick McGrory
Cc: Donald Logan
Subject: Chris McCone Deposition

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 One Customs House, Suite 100
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 Wilmington, DE 19899
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 f: 302.655.8005

2/29/2008

EXHIBIT C

Victoria Petrone

From: John Shields [JShields@hrblackburn.com]
Sent: Thursday, May 17, 2007 4:04 PM
To: Victoria Petrone; p.cottrell@tighecottrell.com; p.mcgrory@tighecottrell.com; kamadio@venzie.com
Cc: Donald Logan
Subject: RE: Chris McCone Deposition

I agree with Kevin's suggestion. We will forego the discovery deposition of Mr. McCone. If mediation is unsuccessful, we can reschedule him. What do the rest of you think?

John E. Shields, Jr., Esquire
Harry R. Blackburn & Associates
215-985-0123 ext. 112

Via Email

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EXHIBIT D

Victoria Petrone

From: Kevin Amadio [kamadio@venzie.com]
Sent: Friday, May 18, 2007 8:26 AM
To: Victoria Petrone; jshields@hrblackburn.com; hblackburn@hrblackburn.com;
p.cottrell@tighecottrell.com; 'Patrick McGrory'; Donald Logan; 'James S Green'
Subject: RE: Chris McCone Deposition

This will confirm that in our conference call this morning we agreed that we will cancel Chris McCone's discovery deposition. All counsel have agreed that if the mediation is unsuccessful, we will take his trial testimony at a later date, after the deposition cut-off and the mediation, but before trial.

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From: Kevin Amadio [mailto:kamadio@venzie.com]
Sent: Thursday, May 17, 2007 12:01 PM
To: 'Victoria Petrone'; jshields@hrblackburn.com; 'hblackburn@hrblackburn.com'; 'p.cottrell@tighecottrell.com'; 'Patrick McGrory'
Cc: 'Donald Logan'
Subject: RE: Chris McCone Deposition

I agree with Vicky's suggestions. The only alternative I see would be, if RLI decides that it does not need Mr. McCone's deposition for discovery purposes, that we agree to take his trial testimony at a later date, after the deposition cut-off and the mediation, but before trial. By deferring Mr. McCone's testimony to that later time, we can all save the expense if the mediation is successful, and in any event be better prepared for a trial-level examination.

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From: Victoria Petrone [mailto:VPetrone@loganllc.com]
Sent: Thursday, May 17, 2007 10:54 AM

2/29/2008

To: jshields@hrblackburn.com; hblackburn@hrblackburn.com; kamadio@venzie.com;
p.cottrell@tighecottrell.com; Patrick McGrory
Cc: Donald Logan
Subject: Chris McCone Deposition

Gentlemen: we are finalizing the arrangements for the deposition of Chris McCone, which has proven to be quite an undertaking. The deposition is estimated to cost around \$15,000.00. I recently discussed with John Shields the fact that the defendants also want to question Chris and suggested that RLI take the first scheduled day and the defendants could take the second day. Since this deposition will constitute Chris's trial testimony we also have to decide how we are going to organize the questioning in terms of background questions, cross examination, etc. I have not received a response yet, but on the basis of splitting the time, I suggest that RLI pay for half of the costs and the defendants cumulatively pay the other half.

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2/29/2008

EXHIBIT E

Victoria Petrone

From: Victoria Petrone
Sent: Thursday, September 27, 2007 11:08 AM
To: jshields@hrblackburn.com; hblackburn@hrblackburn.com; kamadio@venzie.com;
p.cottrell@tighecottrell.com; 'Patrick McGrory'
Cc: Donald Logan
Subject: RE: Chris McCone Deposition
Follow Up Flag: Follow up
Flag Status: Red

Gentlemen: Mr. Blackburn's office wrote recently about obtaining a date for the rescheduled deposition of Chris McCone. As you know, Mr. McCone is still in Kuwait. He has not responded to my inquiry regarding setting up a new date. I will continue to reach out to him and advise as soon as I receive a response. I attach below my email concerning the cost of this deposition, and I am concerned about payment. Therefore, I must request payment in advance from all parties; half from RLI and the other half divided between IRSD, EDiS and BMG, which corresponds to the split in time for questioning.

On another issue, Mr. Blackburn advised in his letter of August 30 that a supplemental production of documents would be forthcoming within two weeks (responding to Kevin Amadio's request of August 2). We have not received anything to date. When can we expect the documents?

Vicky

From: Victoria Petrone
Sent: Thursday, May 17, 2007 10:54 AM
To: jshields@hrblackburn.com; hblackburn@hrblackburn.com; 'kamadio@venzie.com';
p.cottrell@tighecottrell.com; 'Patrick McGrory'
Cc: Donald Logan
Subject: Chris McCone Deposition

Gentlemen: we are finalizing the arrangements for the deposition of Chris McCone, which has proven to be quite an undertaking. The deposition is estimated to cost around \$15,000.00. I recently discussed with John Shields the fact that the defendants also want to question Chris and suggested that RLI take the first scheduled day and the defendants could take the second day. Since this deposition will constitute Chris's trial testimony we also have to decide how we are going to organize the questioning in terms of background questions, cross examination, etc. I have not received a response yet, but on the basis of splitting the time, I suggest that RLI pay for half of the costs and the defendants cumulatively pay the other half.

Please let me have your thoughts on this. I will not finalize the deposition until we have reached an agreement regarding payment. Deposits are going to be required shortly so please get back to me as soon as possible.

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Wilmington, DE 19899
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11/27/2007

EXHIBIT F

Victoria Petrone

From: Kevin Amadio [kamadio@venzie.com]
Sent: Thursday, November 08, 2007 10:55 AM
To: Victoria Petrone; 'John Shields'
Cc: 'Harry Blackburn'; 'Temp Temp'; p.cottrell@tighecottrell.com; 'Patrick McGrory'; Donald Logan
Subject: RE: RLI v. EDiS, et al

That's good news about Chris. If he is going to be available for trial, we do not need to take his deposition at all. The deposition was to take his trial testimony, not for discovery.

K. Gerard Amadio, Esquire
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From: Victoria Petrone [mailto:VPetrone@loganllc.com]
Sent: Thursday, November 08, 2007 10:47 AM
To: John Shields; kamadio@venzie.com
Cc: Harry Blackburn; Temp Temp; p.cottrell@tighecottrell.com; Patrick McGrory; Donald Logan
Subject: RE: RLI v. EDiS, et al

All: I was finally able to track Chris McCone down after several attempts. McCone is en route back to the U.S. and headed to Mississippi. He is expected next week and out of touch until then. As it stands, he is not going back overseas. He expects to be stationed somewhere in the U.S. and possibly close to home. He may be in Delaware over the holidays, but he doesn't yet know if, when or for how long. He also doesn't know how much longer his tour will last; could be 3 months to a year. I hope to know more after next week and will keep you advised. What is the time frame for the deposition?

-----Original Message-----

From: John Shields [mailto:JShields@hrblackburn.com]
Sent: Wednesday, November 07, 2007 1:25 PM
To: kamadio@venzie.com
Cc: Harry Blackburn; Temp Temp; Victoria Petrone; p.cottrell@tighecottrell.com
Subject: RE: RLI v. EDiS, et al

Dear Kevin:

Those dates are fine.

When will we hear from the defense counsel about dates for each of your experts' depositions? Also (to Vickie) where do we stand on the dep of Chris McCone?

John E. Shields, Jr., Esquire

2/29/2008

Harry R. Blackburn & Associates
215-985-0123 ext. 112

Via Email

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2/29/2008

EXHIBIT G

Victoria Petrone

From: Kevin Amadio [kamadio@venzie.com]
Sent: Monday, November 12, 2007 9:51 AM
To: 'John Shields'
Cc: 'Harry Blackburn'; 'Temp Temp'; Victoria Petrone; p.mcgrory@lawtcl.com; Donald Logan; p.cottrell@tighecottrell.com
Subject: RE: RLI v. EDiS, et al

John, your recollection is inaccurate. On May 17, 2007, we exchanged this email:

From me:

The only alternative I see would be, if RLI decides that it does not need Mr. McCone's deposition for discovery purposes, that we agree to take his trial testimony at a later date, after the deposition cut-off and the mediation, but before trial. By deferring Mr. McCone's testimony to that later time, we can all save the expense if the mediation is successful, and in any event be better prepared for a trial-level examination.

From you in reply:

I agree with Kevin's suggestion. We will forego the discovery deposition of Mr. McCone. If mediation is unsuccessful, we can reschedule him.

The next day we had a conference call. I confirmed the results to everyone in this email:

This will confirm that in our conference call this morning we agreed that we will cancel Chris McCone's discovery deposition. All counsel have agreed that if the mediation is unsuccessful, we will take his trial testimony at a later date, after the deposition cut-off and the mediation, but before trial.

K. Gerard Amadio, Esquire
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-----Original Message-----

From: John Shields [mailto:JShields@hrblackburn.com]
Sent: Friday, November 09, 2007 10:24 AM
To: VPetrone@loganllc.com; kamadio@venzie.com
Cc: Harry Blackburn; Temp Temp; p.mcgrory@lawtcl.com; DLogan@loganllc.com; p.cottrell@tighecottrell.com
Subject: RE: RLI v. EDiS, et al

Dear Kevin:

That is incorrect. We agreed to defer Mr. McCone's discovery deposition until after the mediation given the potential of settlement. We have requested dates for it ever since, and it has never been suggested that we were not entitled to it, just that the logistics were difficult. We would like to set this up as soon as possible.

John E. Shields, Jr., Esquire

Harry R. Blackburn & Associates
215-985-0123 ext. 112

Via Email

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EXHIBIT H

Victoria Petrone

From: Victoria Petrone
Sent: Tuesday, November 20, 2007 11:44 AM
To: 'John Shields'; kamadio@venzie.com
Cc: Harry Blackburn; Temp Temp; p.mcgrory@lawtcl.com; Donald Logan; p.cottrell@tighecottrell.com
Subject: RE: RLI v. EDiS, et al

All: Chris McCone is home for good! He's on leave until 12/9 after which he will be going back to work at EDiS and will be generally available. I will let you know about our experts' availability.

Also, you're using my old email address - please use: vpetrone@loganllc.com.

Vicky

-----Original Message-----

From: John Shields [mailto:JShields@hrblackburn.com]
Sent: Monday, November 19, 2007 3:42 PM
To: Victoria Petrone; kamadio@venzie.com
Cc: Harry Blackburn; Temp Temp; p.mcgrory@lawtcl.com; Donald Logan; p.cottrell@tighecottrell.com
Subject: RE: RLI v. EDiS, et al

Dear Vickie:

Have you heard from Mr. McCone? Given the uncertainty concerning his future stationing, we would like to schedule this as soon as possible. Please advise.

Also, I have not heard from any defense counsel regarding dates for your experts' depositions. We previously confirmed that we would bear the associated costs in accordance with the rules. Please advise when these depositions can be scheduled. Thank you.

John E. Shields, Jr., Esquire
Harry R. Blackburn & Associates
215-985-0123 ext. 112

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EXHIBIT I

Victoria Petrone

From: Victoria Petrone
Sent: Monday, January 07, 2008 12:56 PM
To: John Shields; Donald Logan; Paul Cottrell; patrick.mcgrory@tighecottrell.com; Kevin Amadio
Subject: Deposition of Chris McCone

John:

I am writing in response to your phone call of last week in which you sought to schedule the discovery deposition of Chris McCone. You will recall that Mr. McCone's deposition was originally scheduled for two days during the first week of June, 2007 to comply with the discovery cut off date of June 6, 2007. It was set as a trial deposition because Mr. McCone was stationed in Kuwait as part of the U.S. Army Reserves, and at that time, we did not know if Mr. McCone would be returning to the U.S. in time for trial. Kevin Amadio, Esquire, counsel for Indian River, proposed via email on May 17, 2007, that if RLI decided it did not need Mr. McCone's deposition for discovery purposes, the trial deposition could be postponed. RLI agreed. On May 18, 2007, Mr. Amadio confirmed by email a conference call between counsel in which it was agreed that the deposition was cancelled but that the trial deposition of Mr. McCone would be scheduled prior to trial. I did not receive a response to that email, until November, 2007, when the prospect of Mr. McCone's deposition was raised again.

On November 20, 2007, I confirmed that Mr. McCone's tour was ending, he would be back by December 9, 2007 and was not expected to be deployed again. In an exchange of letters between you and Mr. Amadio, Mr. Amadio noted his objection to RLI's efforts to schedule the deposition of Mr. McCone because RLI had elected not to take the discovery deposition, the discovery period had expired (on June 6, 2007) and because his trial deposition was no longer necessary since he will be available for trial. EDiS concurs with Indian River's position. Since Mr. McCone will be available for trial, a trial deposition is unnecessary.

Vicky

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100 W. Commons Boulevard
New Castle, DE 19720
302-325-3555
